

**FAX TRANSMISSION**

DATE: September 14, 2006

PTO IDENTIFIER: Application Number 10/674,550-Conf. #5735  
Patent Number

Inventor: R. Jacob Baker

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-1885

FROM: DICKSTEIN SHAPIRO LLP

Thomas J. D'Amico

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Attorney Dkt. #: M4065.0451/P451-B

PAGES (including Cover Sheet): 2

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DSMOB-2143319-01

Docket No.: M4065.0451/P451-B  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
R. Jacob Baker

Application No.: 10/674,550

Confirmation No.: 5735

Filed: October 1, 2003

Art Unit: 2824

For: RESISTIVE MEMORY ELEMENT SENSING  
USING AVERAGING

Examiner: A. Q. Tran

**SUBMISSION OF SUPPLEMENTAL DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

Transmitted herewith for filing in connection with the above-identified U.S. patent application is a Supplemental Declaration. On September 12, 2006, the Examiner contacted Applicant's representative to request a new declaration be filed, as in the originally filed Declaration the inventor's name was incomplete, and should read R. Jacob Baker.

Dated: September 14, 2006

Respectfully submitted,

By

  
Thomas J. D'Amico  
Registration No.: 28,371  
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1825 Eye Street, NW  
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(202) 420-2200  
Attorney for Applicant

DSMOB-2143319-01

PTO/SB/04 (07-08)

Approved for use through 01/31/2007. OMB 0651-0032

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# **SUPPLEMENTAL DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.67)**

Attorney Docket Number	M4065.0451/P451-B
First Named Inventor	R. Jacob Baker
<b>COMPLETE IF KNOWN</b>	
Application Number	10/674,550-Conf. #5735
Filing Date	October 1, 2003
Art Unit	2824
Examiner Name	A. Q. Tran

## **I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Resistive memory element sensing using averaging

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

10/01/2003

as United States Application Number or PCT International

Application Number

10/674,550

and was amended on (MM/DD/YYYY)

I hereby declare that the subject matter of the

☒

attached amendment

☐

amendment filed on

was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

PTO/SBDA (07-06)  
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### SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATION

Direct all correspondence to: ☒ The address associated with Customer Number: **24998**  
OR ☐ Correspondence address below

Name: **DICKSTEIN SHAPIRO LLP**  
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Country: **US** Telephone: **(202) 420-2200** Email:

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Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unnamed inventor

Given Name: **R. Jacob** Family Name or Surname: **Baker**

Inventor's Signature: *[Signature]* Date: **9/14/06**

Residence: City: **Meridian** ID State: **MS** Country: **United States of America** Citizenship: **US**

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City: **Meridian** ID State: **MS** ZIP: **39362** Country: **United States of America**

Name of Second Inventor: ☐ A petition has been filed for this unnamed inventor

Given Name: \_\_\_\_\_ Family Name or Surname: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: City: \_\_\_\_\_ State: \_\_\_\_\_ Country: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_ Country: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SBDA or 02LR attached hereto.

PTO/SB/87 (09-04)

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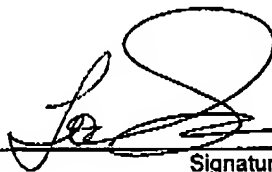
Application No. (if known): 10/674,550

Attorney Docket No.: M4065.0451/P451-B

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on September 14, 2006  
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Thomas J. D'Amico

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